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This is the final Office Action for the serial number 10/566,798, VEHICLE SEAT MOUNT EQUIPMENT RACK, filed on 1/31/06.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 6, 8, 18 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication # 2003/0150892 to Hoe in view of US Patent # 6,231,017 to Watkins and in further view of US Patent # 5,673,464 to Whittaker.

Hoe teaches a rack comprising a hook bar assembly (figure 2) having a guide portion (14) and at least one longitudinally sliding portion (11-12) telescopically engaged with the guide portion. The hook bar has two end hooks placed on distal longitudinally outward end of the bar. The assembly includes a spring (13) for biasing two end hooks with respect to each other. The inside walls of the end hook are shaped for establishing only two lines of contact between the end hook and the headrest post. The end hook is biased longitudinally outward and the end hook opens longitudinally outward.

Hoe teaches the hook bar assembly with guide portion and sliding portion but fails to teach a horizontal shelf mounted on hook bar assembly and guide and sliding portions are in rectangular cross-sections. Watkins teaches the shelf (80) and the guide (154) and sliding (152) portions are in rectangular cross-sections. It would have been obvious for one of ordinary skill

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in the art at the time the invention was made to have added shelf to Hoe's assembly as taught by Watkins to provide support for video equipment in motor vehicle (column 1, lines 66-67 and column 2, lines 1-3 in Watkins's invention).

Hoe teaches the hook having U-shaped configuration but fails to teach the inside walls of the hook are V-shaped configuration. Whittaker teaches the hook (122) having inside walls of V-shaped configuration. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Hoe's inside wall with V-shaped configuration as taught by Whittaker to mount on a rectangular configured object (column 4, lines 23-26 in Whittaker's invention).

Regarding to claims 4,6 and 44-45, Hoe teaches the end hook has a forward/rearward opening hook with inside walls, longitudinally straight shank wall that extends outward end of the shank, a straight finger wall extending from the longitudinally outward end of the shank wall but fails to teach the straight finger is angled forward/rearward inward relative to the shank wall. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the straight finger to angled forward/rearward inward relative to the shank wall to prevent the hook end from slipping out of a headrest post when mounted thereon.

Regarding to claim 8, Hoe teaches the end hook has an outward opening hook with inside walls including forward finger extending forward and longitudinally outward and a rearward finger wall extending rearward and longitudinally outward but fails to teach the forward finger wall and the rearward finger wall are angled relative to each other. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the

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forward finger wall and rearward finger wall to be angled relative to each other to prevent the hook end from slipping out of a headrest post when mounted thereon.

Regarding to claim 18, Hoe teaches the guide portion and at least one sliding portion but fails to teach a tolerance bump extending between guide portion and at least one sliding portion. However in figure 7 of Hoe's invention which is a different embodiment shows tolerance bump (projections part of element 70 in the guide portion and sliding portion). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added the tolerance bump to lock the guiding portion and sliding portion in position (section 0041).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoe in view of Watkins, Whittaker in view of US Patent # 4,564,548 to Fast.

Hoe in view of Watkins, Whittaker teaches the shelf but fails to teach the shelf has a softened laterally rear edge. Fast teaches the softened laterally rear edge (40, plastic, column 6, line 46). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added the softened laterally rear edge to Hoe in view of Watkins's shelf as taught by Fast to provide protection on the shelf to avoid injury (column 6, lines 41-48 in Fast's invention).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoe in view of Watkins, Whittaker and in further view of US Patent # 4,665,559 to Benun.

Hoe in view of Watkins, Whittaker teaches an audio transmitter (audio from TV) but fails to teach an audio cord and audio plug. Benun teaches the audio cord (45) and audio plug

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(36,40). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added the audio cord and audio plug to Hoe in view of Watkins's TV as taught by Benum to receive FM and FM-stereo TV signals (column 1, lines 11-19 in Benum's invention).

Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoe in view of Watkins, Whittaker and in further view of US Patent # 5,201,677 to Takayama.

Hoe in view of Watkins, Whittaker teaches the rack but fails to teach a power jack, power cord and power plug. Takayama teaches the power jack module (figure 1), power cord (wires extending out of element 52). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added power jack and power cord to supply power to TV set (column 1, lines 8-9 in Takayama's invention).

Hoe, Watkins, Whittaker in view of Takayama teaches the power jack and power cord but fails to teach power plug. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added power plug to provide detachable support between TV and cord when TV is not being used.

Allowable Subject Matter

Claims 17, 19-20 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 7, 9 and 12-13 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1, 4, 6, 8, 17-20, 22, 24-27 and 43-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alfred Joseph Wujciak III/
Primary Examiner, Art Unit 3632
12/3/09